

# National Journal

January 17, 1824...No. 10.

[EXTRA.]

(For Rules of the House of Representatives, See folio 159.)

## THE CONGRESS.

FIRST SESSION, EIGHTEENTH CONGRESS.

### Proceedings.

#### SENATE.

Friday, January 2d, 1824.—Twenty-second day.

A communication was received from the Secretary of State,\* which was read, and referred to the select committee appointed to make a proper disposition of the rooms in the centre Building of the Capitol.

Mr. LOWRIE presented two memorials of the citizens of the city and county of Philadelphia, praying a revision of the Tariff. Referred to the Committee on commerce and manufactures.

Mr. SMITH submitted the following: *Resolved*, That the Committee on Roads and Canals be instructed to inquire into the expediency of requesting the President to employ a part of the Engineer Corps in exploring the country between the waters of the Alleghany and Susquehannah, and in ascertaining whether they can be connected by canals, so as to afford a navigation from one of those rivers to the other; and whether the streams, so connected, would afford means of transport; and the depth of water each connecting stream would furnish at different seasons of the year; what would be the probable cost of such canal, or canals, and what obstacles would be in the way of perfecting them. (1)

Mr. NORTON submitted the following: *Resolved*, That the Select Committee on Roads and Canals be instructed to inquire into the expediency of modifying the act of Congress, entitled "*An act to authorize the appointment of Commissioners to lay out the road there-in mentioned*," in such manner that the road named in the said act shall be laid out through Columbus, Indianapolis, and Vandalia, the seats of government of the states of Ohio, Indiana, and Illinois; and to inquire, also, into the expediency of making a further appropriation for the purpose of completing the location of said road. (2)

Mr. RUGGLES, from the Committee on Claims, reported a bill for the relief of Samuel Gilbert, providing payment for property taken from him by the Sac Indians, the claim to which was relinquished by a treaty with that tribe. Read, and passed to a second reading.

\* DEPARTMENT OF STATE, Washington, January 1, 1824.

To the President of the Senate of the United States.

Sir: I have the honour of enclosing, herewith, a copy of a letter, received at this Department, from George G. Barrell, Consul of the United States at Malaga, and informing you that the Picture, mentioned in it, is at the office of this Department, subject to such disposal of it as Congress may direct.

Having been some time retained at New-York, to which place it was shipped by Mr. Barrell, it has very recently been received here, in a frame, upon which is engraved the following inscription:

"Columbus."

"Presented to the Nation, by G. G. Barrell, U. S. Consul at Malaga. The frame presented by Parker & Clover, Picture Framers, New-York, A. D. 1823."

I avail myself of this occasion to state, that an exact fac simile, engraved on copper plate, has been made by direction of this Department, of the original copy of the Declaration of Independence, engrossed on parchment, and signed by all the Members of Congress on the 2d of August, 1776, as appears by the secret journal of that day. Two hundred copies have been struck off from this plate, and are now at the office of the Department, subject to the disposal of Congress. I am, with great respect, Sir, your very humble and obedient servant,

JOHN QUINCY ADAMS.

Copy of a letter from George G. Barrell, United States Consul at Malaga, to the Secretary of State, dated, Malaga, 21st February, 1823.

Sir: A few days since I delivered to Charles A. Davis, Esq. a portrait of Columbus in half length, which I obtained from Seville, and directed him to forward it to your Excellency, for the purpose of having it placed among the Portraits of other distinguished men in the Capitol. You will find by the certificate which accompanies it, that it was supposed to be by the same hand which painted the celebrated one in the Escorial, and only having undergone some retouches, of a trifling nature, to prevent its decay. If it is worthy of a place in the Capitol, it will afford me infinite pleasure, and if not, I can only say, my admiration for that extraordinary man led me to think an original likeness of him might be considered as a small mark of veneration and love I bear my country. With great respect, your most obedient servant,

GEORGE G. BARRELL.

John Quincy Adams, Esq. Sec'y of State, Washington.

Mr. RUGGLES, from the same committee, reported the bill for the relief of Loudon Case, without amendment.

Mr. HAYNE communicated to the Senate a resolution of the Legislature of South Carolina, expressing the sympathy felt by that body in the cause of the Greeks, and the pleasure they should feel at the recognition of the independence of that People. Laid on the table.

Mr. HOLMES, of Maine, from the Committee on the Judiciary, made a report on the case of Josiah Hook, jun. accompanied with a bill for his relief; which was read.

On motion of Mr. JOHNSON, of Kentucky, the petition of Robert Shaw, presented at the last session, and not then acted on, was again referred to the Committee on Claims.

The bills from the other House, for the relief of William Kendall; for the relief of Sarah Chitwood; and for the relief of certain distillers in the county of Berks, in the state of Pennsylvania; were severally read, and passed to a second reading.

The bill from the other House, for the relief of Charles M. Collier, was read a third time, and PASSED.

The amendment made by the other House, to the bill supplementary to an act to relieve certain persons from prison, was taken up, and postponed till Monday next.

The bill for the relief of Francis Henderson, jun. was read a second time.

The resolution submitted by Mr. EATON, providing for the biennial election of the officers of the Senate, was again taken up for consideration. Mr. LANMAN moved to strike out, from the resolution, that part which provides for the election of the principal and engrossing clerks. Without deciding on this motion, the further consideration of the resolution was postponed till Monday next.

The resolution submitted on Wednesday last, (fol. 116) by Mr. KNIGHT, was again read, and agreed to.

Mr. HOLMES, of Maine, gave notice that, on Monday next, he should ask leave to introduce a bill, the better to secure the accountability of public officers.

The bill from the other House, for the relief of Jeremiah Manning, of New-Jersey, was taken up as in committee of the whole, reported to the Senate without amendment, and passed to a third reading.

Mr. LLOYD, of Maryland, presented the petition of Sarah Easton and Dorothy Storer, praying compensation for the services performed by their father (the late Col. Harrison,) as Aid-de-Camp to General Washington. Referred to the Committee on Claims. Adjourned till Monday.

Monday, January 5th, 1824.—Twenty-third day.

A communication from the Secretary of the Treasury, accompanied by the annual statements of the financial concerns of the nation, was received and read; (fol. 129—139) and, on motion of Mr. SMITH, it was ordered that 1500 copies be printed for the use of the Senate.

The following petitions and memorials were presented and referred.

Certain merchants and underwriters of Alexandria, stating, that property belonging to them was captured by the French, previous to the year 1800, and that their claim on the French government was surrendered by the Convention of 1800, and praying compensation for the same;—by Mr. BARBOUR. [Foreign Relations.]

The Chamber of Commerce of the City of Philadelphia, praying the establishment of an uniform system of bankruptcy;—by Mr. LOWRIE. [Judiciary.]

Sundry Citizens of the City and County of Philadelphia, praying a revision of the Tariff;—by Mr. FINDLAY. [Commerce and Manufactures.]

John Stiles, executor on the estate of George Stiles, praying compensation for a vessel sunk in the harbour of Baltimore during the late war;—by Mr. SMITH. [Judiciary.]

Charles Pairo, and also, of Lewis Judson and Philip H. Hobart, respecting titles to certain tracts of land;—by Mr. KELLY. [Public Lands.]

Josiah Watson and Wife, the aged parents of the late Lieut. Watson, of the Navy, stating that they are aged and infirm, and, from misfortunes, have been reduced to poverty; that their late deceased son was the only prop of their declining years, and part of his pay their only support; by his death they are reduced to



want; that they now throw themselves upon the humanity of that country, in whose service their son died; and pray to be provided for, in the same manner that other persons have been, whose sons have died in the naval service;—by Mr. JACKSON. [Pensions.]

Napier, Rapelye, and Bennett, merchants of Charleston, S. C. praying that certain duties paid by them, may be refunded;—by Mr. HAYNE. [Finance.]

In pursuance of notice given on Friday last, Mr. HOLMES, of Maine, asked and obtained leave to introduce a bill *the better to secure the accountability of public officers*. The bill was read twice, and referred to the Committee on Finance.

Mr. LLOYD, of Massachusetts, submitted the following: *Resolved*, That the Committee on Roads and Canals be instructed to inquire into the expediency of requesting the President to cause a survey to be made by some duly qualified officer or officers of the Engineer or Topographical Corps, of the best-route for opening a navigable communication between Buzzard's Bay, and Barnstable Bay, and report on the practicability of constructing a canal through the isthmus which separates the said bays, of sufficient depth and size to admit vessels of war to pass the same; on the obstacles thereto, and the estimated expense thereof, and on the benefits that would result to the public interests in time of war, and to the domestic or coasting trade of the United States, in time of peace, from the construction of such a canal: which, after the completion of the Chesapeake and Delaware, and Raritan Canals, would extend an inland water communication from Albemarle Sound to Massachusetts Bay, passing in its progress through the territory or along the borders of ten of the Atlantic States. (1)

Mr. HOLMES, of Maine, submitted the following: *Resolved*, That the Secretary of State be directed to report to the Senate, by the first day of February next, all such laws as will expire before the second week in the next session of Congress. (2)

*Resolved*, That the Secretary of State be directed to report to the Senate, on the first week in each session, all such laws as will expire before the second week in the next succeeding session. (3)

Mr. SMITH, from the Committee on Finance, reported the bill for the relief of William Bartlett and others, without amendment.

Mr. KING, of Alabama, submitted the following: *Resolved*, That the Committee on Public Lands be instructed to inquire into the expediency of extending the provisions of the first and fourth sections of an act, passed on the 2d of March, 1821, for the relief of purchasers of public lands, prior to the first day of July, 1820, so as to enable the holders of certificates (on which an extended credit has been allowed,) to relinquish the same; or, by making cash payments, to receive a deduction of thirty-seven and a half per cent. on the amount so paid.

Mr. LOWRIE requested he might be excused from acting as a member of the Committee on Public Lands; which was agreed to, and it was ordered that another member be appointed in his stead.

The bill from the other House, for the relief of Jeremiah Manning, of New Jersey, was read the third time, and PASSED.

The bills which originated in the Senate, for the relief of Samuel Gilbert, and for the relief of Josiah Hook, had their second reading.

The bills from the other House, for the relief of William Kendall, for the relief of Sarah Chitwood, and for the relief of certain distillers in the county of Berks, in the State of Pennsylvania, were severally read the second time, and referred.

The amendment made in the other House, to the bill to relieve certain persons from prison, was agreed to.

The resolution proposed on Friday, by Mr. SMITH, (1) was again read, and, on motion of Mr. SMITH, laid on the table.

The resolution submitted on Friday by Mr. NOBLE, (2) was again read and agreed to.

The report of the Committee on Claims, unfavourable to the petition of Frederick W. Smith, a lieutenant in the navy, was taken up and concurred in.

The bill from the other House, for the relief of Loudon Case, was taken up as in committee of the whole; was reported to the Senate, without amendment, and passed to a third reading.

The bill reported by the Committee on Foreign Relations, for the relief of Francis Henderson, jun. was taken up as in committee of the whole. [This bill provides for the payment "to Francis Henderson, jun. the grandson of the late Lieut. Col. John Laurens, of South Carolina, the sum of \$23,500, in full for all claims

of the legal representative of Col. Laurens, against the United States."]

Mr. BARBOUR moved that the sum of \$23,500 be stricken out from the bill, and the sum of \$26,700 inserted in its stead.\*

The question having been divided, the motion for striking out \$23,500 prevailed; but, before the question was taken on inserting the sum proposed by Mr. BARBOUR, the bill was ordered, on motion of Mr. VAN BUREN, to lie on the table.—*Adjourned*.

Tuesday, January 6th, 1824.—Twenty-fourth day.

The following petition and memorials, were presented and referred.

Sylvanus Mauro, of the State of Louisiana, praying confirmation of his title to a tract of land;—by Mr. JOHNSON, of La. [Public Lands.]

Oliver Keating, a respectable merchant of Boston, stating that, in 1807, he loaded a vessel exclusively with the produce of the American fisheries for Marseilles; that, on approaching the port, the vessel was spoken by a British vessel of war, and, on entering the harbour of Marseilles, was taken possession of by a French national ship, and both vessel and cargo condemned under the Berlin and Milan decrees, issued after the sailing of his vessel;—by Mr. LLOYD. [Foreign Relations.]

Sundry Citizens of the States of Pennsylvania and New-Jersey, praying an increase of the tariff;—by Mr. DICKERSON. [Commerce and Manufactures.]

Mr. JOHNSON, of Louisiana, submitted, for consideration, a resolution, instructing the Committee on the Post Office and Post Roads, to inquire into the expediency of increasing the compensation of the Postmaster at Donaldsonville, in the state of Louisiana. (1)

Mr. RUGGLES, from the Committee on Claims, reported a bill for the relief of Joseph C. Boyd; which was read, and passed to a second reading.

Mr. RUGGLES, from the same committee, reported the bill from the other House, for the relief of Jacob Babbit, without amendment.

In pursuance of notice given yesterday, Mr. EATON asked and obtained leave to introduce a bill to revive and continue in force the act providing compensation for the Secretary of the Senate, the Clerk of the House of Representatives, and the Clerks under them. The bill was read, and passed to a second reading.

The bills from the other House, "appropriating a certain sum of money for the relief of Benjamin Huffman, of the state of Indiana," "authorizing the laying out of a public road through the territory of Florida," and "for the relief of Samuel Wharton," were severally read.

The bill from the other House, for the relief of Loudon Case, was read the third time, and PASSED.

The resolutions offered yesterday, by Mr. LLOYD, of Mass. (1) was again read and agreed to.

The resolution offered yesterday, by Mr. HOLMES, of Maine, (2) (3) on motion of Mr. HOLMES, of Maine, referred to the Committee on the Judiciary.

The resolution, submitted yesterday, by Mr. KING, of Al. (4) was again read, and agreed to.

The resolution offered on Friday, (1) (fol. 145) by Mr. SMITH, was taken up and agreed to.

Mr. FINDLAY submitted the following: *Resolved*, That the Committee on Roads and Canals, be instructed to inquire into the expediency of requesting the President to employ a part of the engineer corps in ascertaining whether it be practicable to make a canal navigation from the river Delaware, or Schuylkill, at or near the city of Philadelphia, by the city of Lancaster, to the river Susquehanna; and to connect, by canals, the waters of Alleghany river and Lake Erie, and to ascertain the quantity of water each connecting stream would furnish at different seasons of the year; making an estimate of the probable expense of completing the canals respectively, and noting other necessary circumstances in relation to the object. (1)

Mr. JOHNSON, of Ken. offered the following: *Resolved*, That the Committee on the Library be instructed to inquire into the expediency of providing, by law, for the distribution of the Public Do-

\* The allowance of interest was opposed by Messrs. LANMAN, HOLMES, of Maine, MACON, and VAN BUREN, on the ground that the claim had not been before presented, and that the same principle which had been adopted in the settlement of other claims, of a similar nature, should be preserved in this case.

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ments, Journals, Reports, and Laws of Congress, annually, to the several incorporated libraries within the United States. (2)

The bill from the House of Representatives, for the relief of William Bartlett and John Stearns, was taken up as in Committee of the Whole; and, on motion of Mr. LANMAN, it was laid on the table.

The bill for the relief of Samuel Gilbert, was taken up as in committee of the whole, and, on motion of Mr. BARBOUR, was postponed to Wednesday next.

Mr. LLOYD, of Mass. from the Committee on Naval Affairs, reported the bill further to extend the time of allowing half-pay to the widows and orphans of those who have died in the public service, without amendment.

The Senate then adjourned.

### Wednesday, January 7, 1824.—Twenty-fifth day.

A communication was received from the Secretary of the Navy, accompanied by an abstract exhibiting the expenditures, under the head of Contingent Expenses, as appears by accounts settled and reported in that department, from the 1st of October, 1822, to the 30th September, 1823.

Mr. RUGGLES, from the Committee on Claims, reported unfavourably on the petition of Charles B. Davis; read, and ordered to be printed.

Mr. JOHNSON, of La. offered the following: *Resolved*, That the Committee on Finance be directed to inquire into the expediency of revising the act of Congress, entitled "An act further to establish the compensation of officers of the customs, and to alter certain collection districts, and for other purposes," passed 7th May, 1822, and making such amendments thereto, as a change of circumstances may have rendered necessary and proper. (1)

Mr. BARBOUR submitted the following: *Resolved*, That the President of the United States be requested to lay before the Senate, (if, in his opinion, it can be done without injury to the public interest,) such information as will show the state of the relations between Spain and the United States, from the ratification of the Florida treaty up to the present time—and the effect produced on those relations, by the United States having established diplomatic intercourse with the governments of South and North America. (2)

The resolution submitted yesterday by Mr. JOHNSON, of La. (1) was again read, and agreed to.

The bill reported in Senate, by the Committee on Claims, for the relief of Joseph C. Boyd, had its second reading.

The bills from the House of Representatives, for the relief of Benjamin Huffman; to authorize the laying out of certain public roads in the territory of Florida; and for the relief of Samuel Wharton, were severally read, and referred to the appropriate Committees.

The bill from the other House, for the relief Wm. Bartlett, and John Stearns, was again taken up, as in Committee of the whole, reported to the Senate without amendment, and passed to a third reading.

The bill reported in Senate, by the Committee on Foreign Relations, for the relief of Francis Henderson, jun. the grandson of the late Col. John Laurens, was again taken up for consideration, in committee of the whole. [The question was upon inserting \$26,700, as the sum to be granted, instead of \$23,500, the sum reported by the Committee—the addition proposed, being for interest on the sum which the Committee states to be due for the services of Col. Laurens.

Mr. HOLMES, of Maine, moved the re-commitment of the bill, for the purpose of providing that the money shall be paid to the daughter of Col. Laurens, or her assignee. But a motion to lay the bill on the table prevailed.

The bill from the House of Representatives, for constructing a road from Memphis, in Tennessee, to Little Rock, in the Territory of Arkansas, was twice read, and referred to the Committee on Roads and Canals. Adjourned.

### Thursday, January 8th, 1824.—Twenty-sixth day.

Mr. RUGGLES, from the Committee on Claims, reported the bill which came from the other House, for the relief of Brintnell Robbins, without amendment.

Mr. EDWARDS, of Conn. offered the following resolution for consideration:—*Resolved*, That the Committee on the Judiciary be directed to inquire into the expediency of providing, by joint resolution, that there be prepared and published, under the direc-

tion of the Secretary of State, with the Index now required by the resolution of the 3d of April, 1818, a statement of the acts, and parts of acts, and joint resolutions, of a public nature, which are limited in their duration; specifying the time, or contingency by which their duration is limited; and also, into the expediency of providing, as aforesaid, that there be prepared and published, as aforesaid, with the laws of the present Session of Congress, a statement of the acts and joint resolutions, of a public nature, not yet expired, passed since the organization of the present government, which are limited in their duration; specifying the time or contingency by which their duration is limited. (1)

Mr. BARTON, from the Committee on Public Lands, reported unfavourably on the petition of George De Passu; which report was read.

A communication from the War Department, accompanied by copies of the Army Register for the year 1824, was received and read.

The resolution submitted on Tuesday, by Mr. JOHNSON, of Ky. (2) (fol. 148) was again read for consideration; and after it was modified, so as to make a general inquiry into the expediency of a further distribution of public documents; and, in this shape, it was agreed to.

The resolution offered yesterday by Mr. JOHNSON, of La. (1) was again read and agreed to.

The resolution, offered yesterday by Mr. BARBOUR, was again read and agreed to. (2)

The bill from the other House, for the relief of William Bartlett, John Stearns, and others, was read the third time, and PASSED.

Mr. BENTON, from the Select Committee, to whom was referred the several resolutions proposing amendments to the Constitution, in regard to the election of President and Vice President, reported the following resolutions; which were read, and ordered to be printed:

"*Resolved*, &c. That the following amendment to the Constitution of the United States be proposed to the Legislatures of the several States; which, when ratified by the Legislatures of three fourths of the States, shall be a part of the said Constitution:

"For the purpose of choosing Representatives in the Congress of the United States, each State shall, by its Legislature, be divided into a number of districts, equal to the number of Representatives to which such State may be entitled. These districts shall be formed of contiguous territory, and contain, as nearly as may be, an equal number of persons entitled by the Constitution to be represented. In each of these districts, the persons qualified to vote for the most numerous branch of the state legislature, shall choose one representative.

"For the purpose of choosing electors of President and Vice President of the United States, each state shall, by its legislature, be divided into a number of districts, equal to the whole number of Senators and Representatives to which such state may be entitled in the Congress of the United States; which districts shall be formed of contiguous territory, and contain, as nearly as may be, an equal number of persons entitled by the Constitution to be represented. The persons qualified to vote for the most numerous branch of the state legislature, in each of these districts, shall choose one elector.

"The electors, when convened on the day and at the place prescribed by law for the purpose of voting for President and Vice President, shall have power, in case any of them shall fail to attend before noon of such day, to choose an elector or electors in place of him or them so failing to attend.

"The division of states into districts, as hereby provided for, shall take place immediately after this amendment shall have been adopted, and immediately after every future census, and apportionment of representatives under the same. And such districts shall not be altered, until another census shall have been taken, and an apportionment of representatives under it, shall have been made.

"When the lists of all persons voted for as President and Vice President, and the number of votes for each, shall have been signed, certified, and transmitted, sealed, to the Seat of Government, as required by the Constitution, the Senate and House of Representatives shall form a joint meeting, in which the President of the Senate shall preside, who shall open all certificates, and the votes shall then be counted. The person having the greatest number of votes for President shall be President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then, from the highest numbers, not exceeding three, on the list of those voted for as President, the joint meeting shall immediately, by ballot, choose the President. A majority of the votes of all the members present, shall be necessary to a choice on the first ballot, after which a plurality of votes only shall be necessary to a choice. The person having the greatest number of votes as Vice President, shall be the Vice President, if such number be a majority of the whole number of electors appointed. If no person have that majority, then he shall be chosen by the Senate, as directed by the Constitution.

"*Resolved* That no person, having been twice elected to the office of President of the United States, shall again be eligible to that office."

Mr. BENTON gave notice, that he should call up the preceding resolutions, for consideration, a week from the next Monday.

Mr. VAN BUREN, from the Committee on the Judiciary, to whom was referred a resolution, directing the Secretary of State to report to Congress concerning the expiration of laws, reported the following resolution, which was read, and passed to a second reading:



*Resolved*, that there be added to the Standing Committees, consisting of five members each, directed to be appointed at the commencement of each session, with leave to report by bill or otherwise, the following:

"A Committee of Revision, whose special duty it shall be to report to the Senate, before the first day of March next, all such laws as expire before the close of the next session of Congress; and to make a similar report, on or before the first day of January, in each year."

The Senate then resumed, as in Committee of the Whole, Mr. MILLS in the chair, the consideration of the bill for the relief of Francis Henderson, jun.; which was, after some debate, on motion of Mr. KELLY, ordered to lie on the table.

On motion of Mr. WILLIAMS, the Senate proceeded to the consideration of Executive business, and, after some time spent thereon, adjourned.

Friday, January 9th, 1824.—Twenty-seventh day.

The following petitions were presented and referred.

Samuel Peters, who prays confirmation of a large tract of land under the grant of Jonathan Carver;—by Mr. LANMAN. [Public Lands.]

Ebenzer Oliver and others, citizens of the state of Massachusetts, who state that, in pursuance of the provisions of the act of Congress of March, 1814, they surrendered to the United States their claim to a tract of land in the Mississippi territory; that, owing to a misapprehension on the part of the commissioners, to whom the subject was referred, they have been deprived of the indemnity provided by the said act of Congress. They, therefore, pray that the money they paid for the land may be refunded, or they be reinstated in their claim to the land;—by Mr. MILLS. [Judiciary.]

David Melville, of Newport, in the state of Rhode Island, who states that, in conformity to an advertisement from the Fifth Auditor's Office, he made proposals for supplying and keeping the light-houses; that his terms were considerably lower than those agreed to by the Department having control over the subject; and praying that Congress will consider his case;—by Mr. D'WOLF. [Commerce and Manufactures.]

Mr. JOHNSON, of Kentucky, from the select committee, to which was referred a resolution concerning the abolishing of imprisonment for debt, reported a bill for that purpose; read, and passed to a second reading.

On motion of Mr. D'WOLF, it was ordered, that the petition of Samuel Slater and others, manufacturers of cotton in the state of Rhode Island, heretofore presented, be printed for the use of the Senate.

Mr. BARTON, from the Committee on Public Lands, reported a bill for the relief of Joseph Wood, of the state of Ohio; which was read, and ordered to a second reading.

Mr. VAN BUREN, from the Committee on the Judiciary, reported unfavourably on the petition of John Vaughan.

The report of the Committee on Public Lands, unfavourable to the petition of George De Passu, was taken up and agreed to.

The resolution submitted yesterday by Mr. EDWARDS, of Conn. (1) was again read and agreed to.

The resolutions reported yesterday by the Committee on the Judiciary, (2) (3) were again read, and laid upon the table.

The bill for the relief of Josiah Hook, jun. reported by the Committee on the Judiciary, was taken up, as in committee of the whole; was reported to the Senate, and passed to be engrossed, and read the third time.

The bill from the House of Representatives, for the relief of Jacob Babbit, of Bristol, R. I. was also taken up as in Committee of the Whole; reported to the Senate without amendment, and passed to a third reading.

Mr. HAYNE gave notice that, on Wednesday next, he should call up the resolutions proposing amendments to the Constitution of the United States, in relation to the election of Presidents and Vice Presidents.

The amendment proposed by the Committee on Naval Affairs, to the bill from the House of Representatives, further extending the term of half pay pensions to the widows and children of officers, seamen, and marines, who died in the public service, was taken up in committee of the whole, on motion of Mr. JOHNSON, of Ky. was postponed to Monday next.

Mr. SEYMOUR submitted a resolution, authorizing the Secretary

of the Senate to employ an additional Clerk in his office, in the place of the principal Clerk, during his present indisposition. (1.)

The bill for the relief of Joseph C. Boyd, reported by the Committee on Claims, was taken up as in committee of the whole, reported to the Senate, and passed to be engrossed and read a third time.

The bills from the other House for the relief of Brientnel Robbins, and for the relief of William Kendall, were severally taken up in committee of the whole, reported without amendment, and passed to a third reading. Adjourned.

## HOUSE OF REPRESENTATIVES.

Friday, January 2d, 1824.—Twenty-second day.

The SPEAKER laid before the House the Annual Report of the Secretary of the Treasury. (Referred to the Committee of Ways and Means, and 6,000 copies ordered to be printed;—A letter from the Comptroller of the Treasury, transmitting a list of Balances due by individuals, to the Government. (Read and ordered to lie on the table;—A letter from William H. Jones, accompanied with a proof copy of Mr. Shriver's Map of the proposed communication between the Chesapeake and Ohio. (Referred to the Library Committee;—and a letter from the Secretary of State, respecting a picture of Columbus, presented by G. G. Barrell, American Consul at Malaga. [See Senate proceedings, fol. 145.]

Mr. WILLIAMS, from the Committee of Claims, made an unfavourable report on the petitions of Jared Shattuck, and William Anderson. [Both laid on the table.]

Mr. CAMPBELL, from the Committee on Private Land Claims, made an unfavourable report on the petitions of Joseph Vidal, Jean Daniel Cler, Valentine Delmas, and Jean Baptiste Beaudreaux. [Laid on the table.]

Mr. LITTLE, from the Committee of Pensions and Revolutionary Claims, made an unfavourable report on the petitions of Vassal White and Peter Freeborn. [Laid on the table.]

Mr. SLOANE, from the Committee of Elections, gave notice that he should, on Monday, call up the report of that committee on the subject of the contested election of Mr. Wilson, a member from New-York.\*

On motion of Mr. NEALE, ordered, that the Judges of the Levy Court of Calvert county, Md. have leave to withdraw their petitions and documents.

On motion of Mr. COBB, *Resolved*, That the Committee on the Judiciary be instructed to inquire into the expediency of directing, by law, the delivery to the administrators, executors, or other legal representatives, of John Michael, deceased, certificate No. 1095, for twenty thousand acres of land in the Mississippi Land Company, issued in the name of Robert Williams; which certificate is now deposited in the office of the Secretary of State.

Mr. POINSETT presented certain resolutions from the Legislature of the state of South Carolina, expressive of their sympathy with the Greeks in their present struggle for independence.

On motion of Mr. WICKLIFFE, *Resolved*, That the Committee on the Judiciary be instructed to inquire into the expediency of

\* The SPEAKER reminded Mr. S. that notice had been given for discussing Mr. WEBSTER's resolution for sending an agent to Greece, on Monday.

Mr. POINSETT said that question would give rise to the discussion of other subjects connected with our foreign relations. A call for information, on another most interesting subject, had been made, (on motion of Mr. MALLARY,) which had not yet been answered. The King of Spain, it was understood, had declared his determination to reclaim his former possessions in America by force. It had been confidently rumored, that the confederated monarchs of Europe were about to take some measures in aid of this determination of the King of Spain. When the House went into Committee of the Whole on the state of the Union, on the subject of the agency to Greece, that would be a convenient occasion to bring forward this other subject. They were somewhat connected, and there would doubtless be a discussion of both. But, the House would not be fully prepared for this discussion, till the reply should come in answer to the resolution adopted on Mr. M's motion. He wished, therefore, that Mr. WEBSTER would consent to omit the calling up of his motion on Monday.

Mr. WEBSTER said, he was fully persuaded that the course indicated by his motion was precisely that which he thought the government ought to adopt; that nothing less than that would satisfy the public feeling or the public expectation, and that the sooner it was done the better. Nevertheless, he was unwilling to bring on the motion, as Mr. POINSETT thought there would be a convenience resulting from delay. He would therefore, not call up the subject on Monday, as it was probable there would soon be an answer to the resolution of the gentleman from Vermont, he would, after the receipt of that communication, call the attention of the House again to the subject.



repealing the 25th section of the act to establish the Judicial Courts of the United States, or so to modify the same, that the writ of error, therein provided for, shall be awarded to either party, without reference to the manner the question shall have been decided by the Supreme Court of the state.\*

On motion of Mr. WRIGHT, *Resolved*, That the communication of the Secretary of the Treasury to this House, dated the 27th January, 1823, be referred to the Committee on Public Lands, and that said committee be instructed to inquire whether any, and, if any, what, legislative provision is necessary to secure to the state of Ohio the full amount of the three per cent. arising from the sales of the public lands in said state, under the contract entered into between the United States and the state of Ohio, by the ordinance of the convention of that state, of 27th November, 1802, and the act of Congress of 3d March, 1803; and, also, whether any, and what, proportion of the expenses of surveying the lands of the United States in Ohio, have been paid by the purchasers of said lands.†

Mr. CALL, the delegate from Florida, presented certain acts of the Legislative Council of that territory, which are subject to the revision of Congress; which were referred to the Judiciary Committee.

On motion of Mr. OWEN, *Resolved*, That the Committee on Public Lands be instructed to inquire into the expediency of altering and amending the land laws, now in force, so as to induce those who purchased under the credit system to discharge the sums yet unpaid, by cash advanced at discount, and by further relinquishment. *Also*, of granting to actual settlers, prior to the 1st of July, 1820, in the state of Alabama, the right of purchasing, by pre-emption, at least one quarter section of land, embracing their family residences. *Also*, of granting the right of pre-emption, to all persons, to mill-seats on public lands, when the same have been actually improved as such, by them. *Also*, of granting to each county, in each state where there are public lands, the right of pre-emption to one quarter section of land, for the purpose of erecting and locating public and county buildings.

Mr. BRECK moved, that the resolution some time since offered by him, and laid on the table, calling on the Secretary of the Treasury for a statement of the trade of the United States to Greece, Egypt, and Asia Minor, be now taken up, and considered.

Mr. FORSYTH suggested, as an amendment to the resolution, to strike out the clause which requires a distinct statement, in separate columns, of the countries under the Turkish government, from those possessed by the Greeks in arms.

Mr. BRECK accepted the amendment; and the resolution was then agreed to.

The House then passed to the orders of the day, and resolved itself into a committee of the whole, (Mr. LATHROP in the chair) on the bill appropriating a certain sum of money to enable Benjamin Huffman to recover his son, taken prisoner by the Indians.‡

The committee reported the bill without amendment, and it was ordered to a third reading.

\* Mr. W. stated that the 25th section of the Judiciary Act contained a provision, among other things, for allowing an appeal or writ of error from the Supreme Court of any State to the Supreme Court of the United States, in any case in which the decision of the Supreme Court of the State shall involve the validity of any law of the United States or any provision of the Constitution. His object was to repeal that section, (believing the power it gives to the Supreme Court, a dangerous one;) or to have it so amended as that the right of the writ of error or appeal should be granted, on application to either party.

† Mr. W. said, that it might not be recollected, that the contract, referred to in this resolution, between the United States and Ohio, had received a construction, by the parties to the contract, upon which they continued to act for twenty years. After the lapse of that period, a different construction had been given to the contract by the General Land Office, which was considered by the State of Ohio as seriously affecting its interests. Of that construction he did not now mean to examine the accuracy, or question the correctness. He wished merely to direct the attention of the Committee of Public Lands to that subject, satisfied, that, on a full examination of the subject, they would come to a correct conclusion upon it.

‡ Mr. COKE stated the following circumstances. The father of the boy having applied for advice and assistance to Governor Cass, of Michigan Territory, that gentleman corresponded on the subject with the Secretary of State, in consequence of which the latter had a correspondence with Mr. Canning, the British Minister to this Government, and he with the Governor of Canada, who discovered that the boy in question was in the possession of a British sergeant in Canada, who was unwilling to deliver him up. Without the consent both of the boy himself, and of this man who held him, the Governor of Canada was unwilling to deliver him over. In such circumstances, the Committee who reported this bill, thought it right that Congress should interpose, in order to enable the father to go on to Canada, and take with him the requisite evidence of the facts, and obtain a habeas corpus for the boy.

The House went into Committee of the Whole, (Mr. CONDUCT in the chair,) on the bill for laying out a road from Memphis, (Tenn.) to Little Rock, in the Territory of Arkansas: the bill, having been read by sections, was reported without amendment, and ordered to a third reading.—Ayes 79, Noes 58.

The House went into Committee of the Whole, (Mr. TAYLOR in the chair,) on the bill for laying out and opening certain public roads in the territory of Florida.† It was reported without amendment, and passed. [The blank for the width of the first road being filled with twenty-five feet, and that of the appropriation with \$25,000. A farther appropriation of \$3,000 was made for the survey of the two latter roads.]

The House went into committee of the whole, Mr. A. STEVENSON in the chair, on the bill for the relief of Samuel Wharton, [Assistant Marshal to take the Census of Manufactures in South Carolina in 1810]

The bill was reported without amendment, and ordered to a third reading. *Adjourned to Monday.*

*Monday, January 5th, 1824.—Twenty-third day.*

Mr. WILLIAMS, from the Committee on Claims, made an unfavourable report on the petition of Joseph Janney, which was laid on the table.

Mr. LITTLE, from the Committee on Pensions and Revolutionary Claims, made an unfavourable report on the petition of Richard G. Morris, which was referred to a committee of the whole House.

Mr. LITTLE, from [the same committee, reported a bill for the relief of Mary James, which was twice read and committed.

Mr. WEBSTER, from the Committee on the Judiciary, to whom was re-committed a bill concerning costs in certain cases, reported the same, with the amendment directed by the instructions of the House, (viz. the substitution of \$100 in place of \$30, as the minimum of damages awarded by a jury, on which costs should be allowed.)

The question being on ordering the bill to be engrossed for a third reading as amended—

Mr. CLARKE, of New York, moved "That the bill, with the amendment, be recommitted to the Committee on the Judiciary, with instructions to inquire into the expediency of repealing so much of the law upon the subject of the violation of patents, as provides for the recovery of triple damages in suits brought by patentees for such violation, and that where judgment shall pass for defendant, or the plaintiff become non-suit, or suffer discontinuance, the defendant shall recover double costs." The motion was agreed to, and the bill recommitted accordingly.

The engrossed bills, appropriating a sum of money for the relief of Benjamin Huffman; to authorize the laying out and opening of certain public roads in the territory of Florida: for the relief of Samuel Wharton: were severally read a third time, PASSED, and sent to the Senate for concurrence.

The engrossed bill to provide for the opening and laying out a road from Memphis, in Tennessee, to Little Rock, in the territory of Arkansas, was read a third time, and, after some debate, was re-committed.

The House went into committee of the whole, Mr. TAYLOR in the chair, on the bill for the support of Penelope Denny, mother of James Denny, late a quarter-gunner in the service of the United States; when, on motion of Mr. CAMBRELENG, the House adjourned.

\* Mr. HENPHILL stated, that, a memorial on the same subject had last session been received from the Territory of Arkansas, and referred to the Committee on Roads and Canals, and a favourable report made, but not acted on. The committee now believed such a road to be necessary, and highly conducive to the prosperity of that territory; but too expensive for its present population and means. It was for the purpose of uniting the two great bodies of settlers, the Seat of Government being at one end of the road, and the settlements on the Mississippi at the other end. The actual distance was but 150 miles; but the present circuitous road ran three times that length. The contemplated road would be valuable to the Union, as well as to the Territory, by affording transportation for public property, and by opening to speedier settlement the military lands in Arkansas. It was important in another view. The whole population of that Territory was but about 16,000 and nearly 15,000 of these were Indians. It was evident how requisite it would be, in case hostilities should rise, to have an easier and more direct mode of communication than now existed.

† This bill provides for opening a public road from Pensacola to St. Augustine, and, for completing it by the aid of the United States' troops now in Florida. Also, for surveying and marking out a public road from Cape Sable to the intersection of the road first mentioned with the Suwaney River, and for marking out another public road from Cape Florida to St. Augustine.

A debate of some length arose on the bill, occasioned by that feature of it which provides for the employment of the United States' troops in the construction of the road.



*Tuesday, January 6th, 1824.—Twenty-fourth day.*

A message from the President of the United States, received yesterday, was read, communicating a report from the Department of War, on certain contracts for cannon and cannon shot; on motion of Mr. COCKE, ordered to lie on the table.

Mr. CAMPBELL, from the Committee on Private Land Claims, made an unfavourable report on the petition of Jesse Wilson; which was laid on the table.

On motion of Mr. CAMPBELL, the Committee on Private Land Claims were discharged from the further consideration of the memorial of D. W. COXE.

Mr. BUCHANAN, from the Committee on the Judiciary, reported a bill to alter the Judicial Districts of Pennsylvania, and for other purposes; twice read, and committed.

Mr. WEBSTER, from the Committee on the Judiciary, made an unfavourable report on the petition of Peter L. Jackson, (praying for naturalization;) concurred in.

Mr. NEWTON, from the Committee on Commerce, reported a bill for the relief of Isaac Collier and others; twice read, and committed.

Mr. LITTLE, from the Committee on Pensions and Revolutionary Claims, made an unfavourable report on the petition of Margaret McKeon; concurred in.

Mr. EDDY, from the same Committee, made an unfavourable report on the petition of Mary Treadwell; laid on the table.

Mr. HEMPHILL, from the Committee on Roads and Canals, reported a bill, with the amendment, yesterday ordered by the House, for constructing a road from Memphis, in Tennessee, to Little Rock, in the Territory of Arkansas, which was ordered to be engrossed for a third reading.

Mr. MERCER, from the Committee on the proposed Ohio and Chesapeake Canal, to which was referred the letter of William H. Jones, accompanying a proof copy of Mr. Shriver's Map of the country through which the Canal is to pass, reported the following resolution, which was agreed to.

*Resolved*, That the Clerk of the House of Representatives be directed to provide such charts, maps, and other furniture, for the several committees of the House, under the instruction of the Speaker, as may be, in his judgment, calculated to facilitate the performance of their respective duties.

On motion of Mr. J. S. BARBOUR, *Resolved*, That the Committee on the Post Office and Post Roads, be instructed to inquire into the expediency of changing, by law, the route of the main western mail, from Staunton in Virginia, to the city of Washington; and that the said committee inquire, if it be not practicable to conduct the said mail by a shorter and better route than that which is now pursued.

Mr. BRENT offered the following: *Resolved*, That the Report of the Land Commissioners in Louisiana, together with all the evidence, papers and documents upon file in this House, relative to the claim of the representatives of the Marquis de Maison Rouge, to a tract of land in Ouachita, Louisiana, containing thirty square leagues or upwards, be referred to the Committee upon Private Land Claims, with instructions to report thereon with a view to the final disposal of the same. (1) Ordered to lie on the table.

On motion of Mr. FOOR, of Con. *Resolved*, That the Committee on Revolutionary Pensions be instructed to inquire into the expediency of placing Walter Booth, a soldier of the Revolutionary army, on the Pension Roll.

On motion of Mr. COOK, *Resolved*, That the Committee on the Judiciary be instructed to inquire into the expediency of altering the time of holding the terms of the District Court of Illinois.

On motion of Mr. HAMILTON, *Resolved*, That the Committee on the Post Office and Post Roads, be directed to inquire into the expediency of establishing a post route from Waterborough, to some point in the vicinity of Buckhead Ford, St. Bartholomew's Parish, South-Carolina. Also, into the expediency of establishing a post route from Pocotaligo to Hickory Hill, Prince William's Parish, South-Carolina.

On motion of Mr. COBB, *Resolved*, That the Committee on Indian affairs be instructed to inquire into the expediency of repealing an act, entitled "An act making provision for the civilization of the Indian tribes adjoining the frontier settlements," passed on the 3d day of March, 1819.

On motion of Mr. SLOANE, *Resolved*, That Parmenio Adams, who contests the election of Isaac Wilson, returned a member of this House, be permitted to appear within the bar, and be heard

in support of his petition during the discussion of the report of the Committee of Elections on said petition.

On motion of Mr. ALEXANDER, of Tenn. *Resolved*, That the Committee on Post Offices and Post Roads be directed to inquire into the expediency of establishing a post road from Hardinville, by way of McNairy Court House, to Hardiman Court House; also, from Jackson, by way of Haywood Court House, to Gibson Court House; also, from Carroll Court House, by way of Gibson Court House, to Dyer Court House; also from Paris, Henry county, by way of Weakley Court House, to Albion Court House, Tennessee.

On motion of Mr. PRINCE, *Resolved*, That the Committee on the Public Lands be instructed to inquire into the expediency of granting the right of pre-emption to one quarter section of land in the county of Parke, in the state of Indiana, upon which to locate the seat of justice for said county of Parke: *Provided*, the same shall be selected previous to the public lands in said county being offered for sale.

The House then passed to the order of the day—which was the unfinished business of yesterday, and, after some observations of Mr. CAMBRELENG, the Committee of the Whole, on the bill for the relief of Penelope Denny, had leave to sit again.

Mr. SLOANE moved to postpone all the orders of the day previous to the report of the Committee of Elections, on the claim of Parmenio Adams, to the seat in this House of Isaac Wilson.\*—Agreed to; and the House went into Committee of the Whole. Mr. BASSETT in the Chair, on that report. The report of the committee, together with the whole of the testimony, was read, and the question being on concurring with the first resolution of the committee, viz.: "that Isaac Wilson is not entitled to a seat in this House."

Mr. THOMPSON, of Kentucky, moved, as an amendment, that neither P. Adams nor Isaac Wilson is entitled to a seat in this House. This amendment was subsequently withdrawn, and the question being taken on the first resolution, as reported by the Committee of Elections, was carried in the affirmative—ayes 139.

The question being on the second resolution, viz.: "That Parmenio Adams is entitled to a seat in this House?"

Mr. THOMPSON, of Kentucky, moved to amend the resolution by inserting the word "not," which was decided in the negative—Ayes 70, Noes 101.

The question then recurring on agreeing to the second resolution, as reported by the Committee of Elections, it passed in the affirmative. On which the committee of the whole rose and reported accordingly.

In the House, Mr. COCKE moved to lay the report of the committee of the whole on the table. Decided in the negative.

The first resolution was concurred in by the House.

The question being on the second resolution,

Mr. WHITE moved to amend the report, by striking out all that follows the word *Resolved*, and substituting the following:

"That, in case of the contested election of Isaac Wilson, by Parmenio Adams, it is doubtful, from the evidence, who ought to have been returned the member to the present Congress, from the 29th congressional district in the state of New York, and, believing that no man ought to exercise the high and honourable station of Representative of the people, by virtue of a vote short of a clear majority of those given at the polls; and believing, also, that the people of that district are competent, and ought, of right, to judge and correct the return—

"Therefore, *resolved*, That the seat of Isaac Wilson, the member returned from the 29th congressional district, is vacant.

*Resolved*, That a writ of election do forthwith issue, to supply

\* In the county of Genesee, forming the 29th Congressional District of the State of New York, Isaac Wilson and Parmenio Adams, were opposing candidates for Congress. The former was returned as having received 2093 votes, whilst Parmenio Adams had 2077 votes. The petitioner, Mr. Adams, claims the seat to which Mr. Wilson was returned, on the ground that, in the town of China, 67 votes were returned for the sitting member, whereas the true number given in for him was 45 votes. The sitting member, as a set-off for this error, (which is fully made out) offers proof of 12 votes, which either the petitioner received more than he was entitled to, or the returned member was not allowed credit for on his side. The committee of elections report, that five votes should be deducted for error from the number of votes returned for the petitioner from the town of Attica. This deduction, however, still leaves him a majority after the error on the opposite side is deducted, of one vote over the sitting member. The committee therefore recommend to the House, to eject Isaac Wilson, and admit Parmenio Adams to a seat in the House, as the Representative from the 29th district before mentioned.



the aforesaid vacancy, occasioned by the improper return of Isaac Wilson to a seat in this House."

The question being taken on this amendment, it was decided in the negative.

Mr. LITTLE then moved to amend the second resolution, by inserting the word "not." Before the question was taken,

Mr. FOOT moved to postpone the decision till to-morrow, to allow time for further reflection; which was carried, ayes 92, noes 87.

And the House adjourned.

*Wednesday, January 7th, 1824.—Twenty-fifth day.*

The SPEAKER laid before the House a communication from the Secretary of State, containing a List of Patents granted during the year past.

The SPEAKER also laid before the House, a communication from the Comptroller of the Treasury, and a communication from the Secretary of the Navy, the latter relating to contingent expenditures in the Navy. These papers were respectively laid on the table, and ordered to be printed.

Mr. RANKIN, from the Committee on Public Lands, made unfavourable reports on the petition of John Stealy, George Salady, and Elisha Wade; which were laid on the table.

Mr. LITTLE, from the Committee on Private Land Claims, made unfavourable reports on the petition of Pelatiah Littlefield and Joseph Fitzgerald; which were laid on the table.

Mr. RICH, from the Committee of Claims, made an unfavourable report on the petition of John Armstrong; which was laid on the table.

Mr. WHITTLESEY, from the Committee of Claims, reported a bill for the relief of Alvin Bronson; which was twice read, and committed.

Mr. WHITTLESEY, from the same committee, made an unfavourable report on the petition of John King; which was laid on the table.

Mr. COCKE moved to take up the report of the Secretary of War, (enclosed in the President's Message of yesterday,) respecting certain contracts for cannon, cannon shot, and small arms, and refer it to a select committee. Agreed to.

On motion of Mr. P. P. BARBOUR, *Resolved*, That the Committee of Pensions and Revolutionary Claims be instructed to inquire into the expediency of providing, by law, for the payment to the legal representatives of Abner Porter, deceased, for a quantity of corn furnished by said Porter, to the continental station at the Albemarle Barracks, Virginia, during the Revolutionary war.

On motion of Mr. BROWN, of Penn. *Resolved*, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a post route, commencing at Bellefonte, in Centre county, Penn. thence to Karthous, on the west bank of Susquehanna; thence to Richard Giffet's, on Bennet's branch of the Sennamemahoning, in Clairfield county; thence to Smithport, M'Kean county; thence to intersect the road from Erie to Buffalo, at or near the town of Hamilton, in the state of New-York.

On motion of Mr. GARNETT, the report of the Committee on Claims, on the petition of Joseph Janney, was referred to a committee of the whole House.

On motion of Mr. WICKLIFFE, *Resolved*, That the Committee on Revolutionary Pensions be instructed to inquire into the expediency of placing Jesse Murphy, a soldier of the Revolution, upon the Pension List.

On motion of Mr. BARTLEY, *Resolved*, That the Committee on the Post Office and Post Roads be instructed to inquire into the expediency of establishing a post route from Mansfield, Busyrus, and Upper Sandusky, in the State of Ohio.

The engrossed bill to authorize the surveying and making a road from the point opposite to Memphis, in Tennessee, to Little Rock, in the Territory of Arkansas, was read a third time, PASSED, without a division, and sent to the Senate for concurrence.

The House took up the unfinished business of yesterday, which was the motion of Mr. LITTLE to insert the word "not" in the second resolution reported by the Committee of Elections, so as to make it read, "that Parmenio Adams is *not* entitled to a seat in this House."

The debate on this subject was continued till nearly three o'clock, when, the question being taken on the amendment, it was decided in the negative—ayes 83, noes 112.

The question then recurring on agreeing with the report of the

committee, (which admits Mr. Adams to a seat,) was decided by ayes and noes as follows:

YEAS—116—Messrs. Alexander, Tenn. Allen, Mass. Allen, Tenn. Archer, Bailey, Bartlett, Baylies, P. P. Barbour, J. S. Barbour, Beecher, Blair, Buchanan, Burleigh, Cady, Campbell, S. C. Campbell, Ohio; Carter, Cassedy, Condict, Cook, Culpeper, Cushman, Cuthbert, Durfee, Dwight, Eddy, Edwards, Pa. Farrelly, Forward, Frost, Fuller, Garnett, Gatlin, Hall, Hamilton, Harvey, Hayden, Hemphill, Henry, Herrick, Herkimer, Hobart, Holcombe. Hooks, Houston, Ingham, Isaacs, Jenkins, Jennings, F. Johnson, Kidder, Lathrop, Lawrence, Lee, Leftwich, Lincoln, Livermore, Locke, Long, Longfellow, M'Arthur, M'Duile, M'Kee, M'Lean, Ohio; Mallary, Markley, Martindale, Marvin, Mercer, Mitchell, Pa. Moore, Ky. Moore, of Alb. Morgan, Neale, Newton, O'Brien, Owen, Patterson, of Ohio, Plumer, of N.H. Poinsett, Rankin, Reed, Reynolds, Rich, Rogers, Rose, Sharpe, Sloane, Arthur Smith, Standifer, Sterling, J. Stephenson, Stewart, Stoddard, Storrs, Strong, Swan, Taylor, Todd, Tomlinson, Tracey, Tucker, of Va. Tyson, Vance, of N. C. Vance, of Ohio, Van Rensselaer, Vinton, Warfield, Webster, Whipple, Whittlesey, Williams, of N. Y. Henry Wilson, Wilson, of Ohio, Wood, Woods.

NAYS—85—Messrs. Abbot, Alexander, of Va. Allison, Ball, Barber, Conn. Bartley, Bassett, Bradley, Breck, Brent, Brown, Buck, Buckner, Burton, Cambreleng, Clark, Cobb, Cocke, Collins, Conner, Crafts, Crowninshield, Day, Duwinnell, Eaton, Edwards, of N.C. Ellis, Floyd, Foot, of Conn. Foote, N. Y. Forsyth, Garrison, Gaylay, Gist, Govan, Gurley, Harris, Hayward, Hogeboom, Johnson, of Va. J. T. Johnson, Kremer, Letcher, Littlefield, Little, M'Coy, M'Kean, M'Kim, M'Lane, of Del. Mangum, Matlack, Metcalfe, Miller, Mitchell, Md. Patterson, Pa. Plumer, Pa. Prince, Randolph, Richards, Ross, Saunders, Sandford, Scott, Sibley, Alex. Smyth, Wm. Smith, Spaight, A. Stevenson, Ten Eyck, Test, Thompson, of Geo. Thompson, of Ken. Tucker, of S. C. Udree, Van Wyck, Wayne, Whitman, White, Wickliffe, Williams, of Va. Williams, of N. C. James Wilson, Wilson, of S. C. Wright.

Mr. ADAMS then appeared, was qualified, and took his seat in the House.

Mr. MOORE, of Alabama, offered the following: *Resolved*, That the following amendment be made to the 13th standing rule of this House: 2d line, after the word "Department," insert "the Attorney General;" and, in the 13th line, after the same word, insert, "or may have held the office of District Attorney of the United States." And then the House adjourned.

*Thursday, January 8th, 1824.—Twenty-sixth day.*

Mr. M'LANE, from Committee of Ways and Means, reported a bill authorizing the Commissioners of the Sinking Fund to purchase the 7 per cent. stock of the United States in the year 1824; and a bill authorizing the creation of a stock not exceeding five millions of dollars, to provide for the award of the Commissioners under the Treaty with Spain of 22d Feb. 1819.

Mr. F. JOHNSON, from the Committee on the Post Office and Post Roads, reported a resolution unfavourable to the petition of John D. Hay in which the House concurred.

Mr. RANKIN, from the Committee on Public Lands, reported a bill to extend the time limited for the settlement of private land claims in the Territory of Florida; read twice, and ordered to be engrossed for a third reading on Monday.

Mr. LITTLE, from the Committee on Pensions and Revolutionary Claims, made unfavourable reports on the petitions of Lewis F. Delesdernier and Gabrielle A De Beaugard; which were laid on the table.

The House went into committee of the whole (Mr. TOMLINSON in the chair) on the bill for the relief of Daniel Carroll, of Duddington, and others.

Mr. HERRICK moved to lay the bill on the table; which motion was lost—ayes 70, noes 76. The question being on ordering the bill to a third reading, it was decided in the negative—ayes 74, noes 83. So the bill was rejected.

The House went into committee of the whole, Mr. LATHROP in the chair, on the bill for the relief of William P. Nimmo.

Mr. WHITTLESEY moved to amend the bill by inserting the words "the representatives of" (Mr. Nimmo being dead;) which was agreed to. (The bill appropriates \$500 as compensation for the destruction of a building called the Pleasure-House, on his estate, occupied as an out-post of the American troops, in the defence of Norfolk.) The question being taken on its passage to a third reading, it was decided in the affirmative—ayes 84, noes 64.

The House went into Committee of the whole, Mr. CONDUCT in the chair, on the report of the Committee of Claims, against the petition of Charles Manife, (for interest on a certain balance heretofore allowed to him at the Treasury. It was reported to the House, without amendment, and concurred in. Adjourned.

*Friday, January 9th, 1824.—Twenty-seventh day.*

Mr. LITTLE, from the committee on Pensions and Revolutionary Claims, made unfavourable reports on the petitions of Philip Lehr and Edmund Booker; laid on the table.

Mr. STRONG, from the Committee on Public Lands, reported a bill "granting certain lots of ground to the Corporation of the City of Mobile, and to certain individuals of said city;" twice read, and committed.



Mr. TOD, from the Committee on Manufactures, reported a bill "to amend the several acts for imposing duties on imports;" (folio 142) referred to a committee of the whole on the state of the Union, and 2000 copies ordered to be printed.

Mr. McCOR, from the Committee of Claims, reported a bill "for the relief of David Grinn and Samuel Hoag; which was twice read and committed.

Mr. WHIPPLE, from the Committee of Claims, reported unfavourably on the petition of certain inhabitants of the territory of Michigan; and of Thomas Collins and Sarah Shillito; and reported a bill for the relief of the assignees and legal representatives of Joseph Mims, deceased; which was twice read and committed.

Mr. McLANE, from the Committee of Ways and Means, reported a bill to authorize the executors of John B. Mebane to collect certain arrears of tax in the county of Chatham, and state of North Carolina; twice read and committed.

Mr. CAMPBELL, from the Committee on Private Land Claims, made unfavourable reports on the petition of Henry R. Teller and Carlos de Villemont; the first was concurred in; the second laid on the table.

Mr. SLOANE, from the Committee of Elections, made a report adverse to the claim of Alfred H. Powell, of Va. to the seat in this House of Jared Williams.

Mr. EDWARDS, of N. C. from the Committee of Revolutionary Pensions, made unfavourable reports on the petition of Joseph Bozwell, Jonathan Warrall, and Mathew N. Sanborn; and of Thomas McGee.

Mr. ROSS, from the committee to whom the subject was referred, reported a bill for the relief of the assignees and legal representatives of John H. Piatt; which was twice read, and committed.

Mr. HAMILTON, from the Committee on Military Affairs, made a report on the memorial of the Mayor and Aldermen of the city of New-York, in relation to Castle Clinton; laid on the table.

Mr. HERRICK moved for a reconsideration of the vote of yesterday rejecting the bill for the relief of Daniel Carroll, of Duddington, and others; which was carried, ayes 82, and the bill, on motion of Mr. HERRICK, was recommitted to the Committee of Claims.

On motion of Mr. RANKIN, Resolved, That the Committee on Private Land Claims be instructed to inquire into the expediency of confirming the claim of Woodson Wren to a tract of land situated on the northeast side of the Bay of Biloxi, in the state of Mississippi.

The engrossed bill for the relief of the representatives of Wm. P. Nimmo, was read a third time: and, afterwards, on motion of Mr. WARFIELD, laid on the table.

The House went into committee of the whole, (Mr. WARFIELD in the chair,) on the bill for the relief of Garrett Fountain; which was reported without amendment, and ordered to a third reading.

A message was received from the President of the United States, enclosing a report of the Secretary of the Navy, &c. on the subject of contracts for cannon and cannon shot.

Mr. WEBSTER gave notice, that, on Monday, the 19th January, he should call up the consideration of the resolution sometime since submitted by him, on the subject of the Greeks.

(To be continued.)

## RULES OF CONGRESS.

### Standing Rules and Orders for conducting business in the House of Representatives of the United States.

[CONCLUDED FROM FOLIO 82.]

76. Upon bills committed to a committee of the whole House, the bill shall be first read throughout by the Clerk, and then again read and debated by clauses, leaving the preamble to be last considered; the body of the bill shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the committee, and so reported to the House. After report, the bill shall again be subject to be debated and amended by clauses, before a question to engross it be taken.

77. All amendments made to an original motion in committee shall be incorporated with the motion, and so reported.

78. All amendments made to a report committed to a committee of the whole House shall be noted and reported as in case of bills.

79. All questions, whether in committee or in the House, shall be propounded in the order in which they were moved, except that, in filling up blanks, the largest sum and longest time shall be first put.

80. No motion or proposition for a tax or charge upon the people shall be discussed the day in which it is made or offered, and every such proposition shall receive its first discussion in a committee of the whole House.

81. No sum or quantum of tax or duty, voted by a committee of the whole House, shall be increased in the House until the motion or proposition for such increase shall be first discussed and voted in a committee of the whole House; and so in respect to the time of its continuance.

82. All proceedings, touching appropriations of money, shall be first discussed in a committee of the whole House.

83. The rules of proceeding in the House shall be observed in a committee of the whole House, so far as they may be applicable, except the rule limiting the times of speaking; but no member shall speak twice to any question, until every member choosing to speak shall have spoken.

84. When the House shall be in committee of the whole upon any subject, the consideration of which shall have been continued from a preceding day, a motion for the committee to rise and report progress, shall not be in order until 4 o'clock, P. M. unless to ask leave to sit again on a day subsequent to the next succeeding one; and if upon such motion the committee shall rise and obtain leave to sit again, the further consideration of the subject shall be accordingly postponed, and on the day to which it shall be thus postponed, it shall have precedence of all other orders, except the unfinished business of a preceding day.

85. No standing rule or order of the House shall be rescinded or changed, without one day's notice being given of the motion therefor. Nor shall any rule be suspended except by a vote of at least two-thirds of the members present.

86. It shall be in order for the Committee on Enrolled Bills to report at any time.

### Joint Rules and Orders of the two Houses.

1. In every case of an amendment of a bill agreed to in one House, and dissented to in the other, it either House shall request a conference and appoint a committee for that purpose, and the other House shall also appoint a committee to confer, such committee shall, at a convenient hour, to be agreed on by their chairman, meet in the conference chamber, and state to each other verbally, or in writing, as either shall choose, the reasons of their respective Houses for and against the amendment, and confer freely thereon.

2. When a message shall be sent from the Senate to the House of Representatives, it shall be announced at the door of the House by the doorkeeper, and shall be respectfully communicated to the chair, by the person by whom it may be sent.

3. The same ceremony shall be observed when a message shall be sent from the House of Representatives to the Senate.

4. Messages shall be sent by such persons as a sense of propriety in each House may determine to be proper.

5. While bills are on their passage between the two Houses, they shall be on paper, and under the signature of the Secretary or Clerk of each House, respectively.

6. After a bill shall have passed both Houses, it shall be duly enrolled on parchment by the Clerk of the House of Representatives, or the Secretary of the Senate, as the bill may have originated in the one or the other House, before it shall be presented to the President of the United States.

7. When bills are enrolled, they shall be examined by a joint committee of one from the Senate and two from the House of Representatives, appointed as a standing committee for that purpose, who shall carefully compare the enrolment with the engrossed bills, as passed in the two Houses, and, correcting any errors that may be discovered in the enrolled bills, make their report forthwith to the respective Houses.

8. It shall be the duty of the committee on enrolled bills to correct any error in date in any engrossed or enrolled bills, and report such correction to the respective Houses.

9. After examination and report, each bill shall be signed in the respective Houses, first by the Speaker of the House of Representatives, then by the President of the Senate.

10. After a bill shall have been thus signed in each House, it shall be presented, by the said committee, to the President of the United States, for his approbation, it being first endorsed on the back of the roll, certifying in which House the same originated; which endorsement shall be signed by the Secretary or Clerk (as the case may be) of the House in which the same did originate, and shall be entered on the journal of each House. The said committee shall report the day of presentation to the President, which time shall also be carefully entered on the journal of each House.

11. All orders, resolutions, and votes, which are to be presented to the President of the United States for his approbation, shall, also, in the same manner, be previously enrolled, examined, and signed, and shall be presented in the same manner, and by the same committee, as provided in cases of bills.

12. When the Senate and House of Representatives shall judge it proper to make a joint address to the President, it shall be presented to him in his audience chamber, by the President of the Senate, in the presence of the Speaker and both Houses.

13. When a bill, or resolution, which shall have passed in one House, is rejected in the other, notice thereof is to be given to the House in which the same may have passed.

14. When a bill or resolution, which has been passed in one House, is rejected in the other, it is not brought in during the same Session, without a notice of ten days, and leave of two-thirds of that House in which it shall be renewed.

15. Each House transmits to the other all papers on which any bill or resolution shall be founded.

16. After each House shall have adhered to their disagreement, a bill or resolution is lost.

17. No bill that shall have passed one House shall be sent for concurrence to the other on either of the three last days of the session.

18. No bill or resolution that shall have passed the House of Representatives and the Senate, shall be presented to the President of the United States, for his approbation, on the last day of the session.

\* This rule was adopted by the House of Representatives on the 12th of May, 1820. It is not known that the Senate have given it their sanction.